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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,289	06/10/2005	Michiaki Tatsubori	JP920020206US1	9237
47069 7590 05/29/2009 KONRAD RAYNES & VICTOR, LLP ATTN: IBM54 315 SOUTH BEVERLY DRIVE, SUITE 210 BEVERLY HILLS, CA 90212				
EXAMINER NGUYEN, DUSTIN				
ART UNIT 2454		PAPER NUMBER		
NOTIFICATION DATE 05/29/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

krvuspto@ipmatters.com

### Office Action Summary

**Application No.**

10/538,289

**Applicant(s)**

TATSUBORI ET AL.

**Examiner**

DUSTIN NGUYEN

**Art Unit**

2454

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 31-34 and 40-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 31-34 and 40-64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 31-34, 40-64 are presented for examination.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/17/2009 has been entered.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 31-34, 40-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheinis et al. [ US Patent Application No 2004/0019809 ], in view of Srivastava et al. [ US Patent Application No 2002/0120685 ].

5. As per claim 31, Sheinis discloses the invention as claimed including a method, comprising:

receiving a call request from a user to execute an object [ i.e. receiving a request to access at least one of a plurality of server objects on a server [ 210, Figure 3; and paragraphs 0010 and 0087 ];

determining an access authority for the user; acquiring an object access authority set for the object indicating access authorities for methods called by the object; comparing the user access authority and the object access authority set to determine whether the user access authority permits access to the methods called by the object [ i.e. determining whether the call is authorized ] [ 230, Figure 3; Figure 4; and paragraphs 0090-0098, and 0109-0113 ].

Sheinis does not specifically disclose

searching a storage section storing execution results for a previous execution of the object prior to executing the call request and in response to determining that the user access authority permits access to the methods called by the object.

Srivastava discloses

searching a storage section storing execution results for a previous execution of the object prior to executing the call request and in response to determining that the user access authority permits access to the methods called by the object [ i.e. ExecutionManager is responsible check for the availability of cached service responses before executing a service ] [ paragraphs 0070, 0089, 0220, and 0345-0347 ].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Sheinis and Srivastava because the teaching of Srivastava on caching would enable to improve system performance and reduce communication overhead.

6. As per claim 32, Sheinis discloses wherein the call request is received over a network, and wherein the execution results are transmitted over the network [ Figures 1 and 2; and paragraphs 0065-0068 ] and wherein the call request with respect to the object comprises a request for Web services [ paragraph 0083 ].
7. As per claim 33, Srivastava discloses transmitting the execution results for the previous execution of the object prior to executing the call request with respect to the object in response to determining that the storage section stores the execution results for the previous execution of the object subject to the call request [ i.e. return the cache response to the client ] [ paragraph 0220 ].
8. As per claim 34, Srivastava discloses passing the call request to an object executor in response to determining that the storage section does not store execution results for the previous execution of the object subject to the call request [ i.e. check for available in cache ] [ paragraph 0220 ].
9. As per claim 40, Sheinis discloses determining methods called by the object; determining an access authority for each determined method; generating the object access authority set to comprise the determined access authorities of the determined methods, wherein the object access

authority set indicates access authorities needed to execute the determined methods [ Figure 4; and paragraphs 0090-0098, and 0109-0113 ].

10. As per claim 41, Sheinis discloses wherein determining the access authority for each determined method calling additional methods comprises: determining the access authorities of the additional methods called by the method, wherein the object access authority set for the method additionally includes the determined access authorities of the additional methods called by the method [ paragraphs 0072, 0114, 0130 ].

11. As per claim 42, Sheinis discloses wherein access to the execution results is not granted to the user if the access authority for one determined method is unknown [ i.e. reject the call ] [ paragraphs 0093, 0094 and 0097 ].

12. As per claim 43, Sheinis discloses wherein the object is executed even if access to the execution results is not granted [ paragraphs 0093 and 0094 ].

13. As per claim 44, Sheinis discloses storing execution results from the object executor in response to executing the object of the call request with the access authority set for the object and an object name [ paragraphs 0130, 0144; and claim 13 ].

14. As per claim 45, Sheinis discloses returning the execution results to the user having user

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access authority permitting access to the object [ i.e. return response to requester ] [ 280, Figure 3; and paragraph 0105 ].

15. As per claim 46, Srivastava discloses receiving a subsequent call request for the object from the user; returning the execution results to the user in response to determining that the execution results are associated with the user without comparing the user access control to the object access authority [ paragraphs 0424-0426 ].

16. As per claims 47-55 and 56-64, they are rejected for similar reasons as stated above in claims 31, 33, 34, 40-45.

17. Applicant's arguments with respect to claims 31-34 and 40-64 have been considered but are moot in view of the new ground(s) of rejection.

18. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/DUSTIN NGUYEN/  
Primary Examiner, Art Unit 2454